

invention from the cited references. See, e.g., claim 1's reference to "voice samples," "means for selectively combining for playback . . . the automatically composed musical composition and stored audio data and voice samples," etc. See, e.g., claim 7's reference to "mixing sound samples," "a second memory for storing sound samples . . . connected to the processor input, wherein a music synthesizer is connected to the processor output . . . , and "a summation and digital to analog conversion circuit . . . receives the processor and synthesizer outputs and provides a summed analog output."

Moreover, Applicant notes that Aoki seems to require an autocomposition mode (not including any playback function), pursuant to which autocomposed music of a limited form is generated and stored; at some later point in time, a playback mode may be initiated, during which the stored music is played back. Applicant's invention is directed to, in effect, concurrent composition and playback, which does not seem possible with Aoki.

Finally, Applicant does not find any suggestion or motivation in Gabriel or Aoki to make the proposed combination. The modes of operation and construction of the systems disclosed therein seem quite different, and it is not understood how or why one an ordinarily skilled person would be lead to such a combination.

Accordingly, Applicant submits that the claimed invention is patentably distinct over Gabriel, Aoki and the other cited references.

Please contact Applicant's attorney if there are any questions regarding the foregoing.

Respectfully submitted,



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